GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – Panchayat Raj & Rural Development Department – Allegations of irregularities in entrustment and execution of certain works in Krosuru (M), Guntur District – Disciplinary proceedings initiated against (1) Sri P. Yohan, the then AE, PR, Krosuru (M), Guntur District (2) Sri N. Venkateswara Reddy, the then DEE, PRISD, Rajupalem, Guntur District –Inquiry conducted - Further action dropped – Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.RT.No. 379 **Dated: 07-07-2020.**
Read the following:-

1) From GA(V&E)Dept.,Vigilance Report No.121 (614/V&E/E2/2009) Dt:06-10-2010.
2) G.O.Rt.Nos.1123 & 1124, PR&RD (Vig-IA) Department, Dated: 25-06-2012.
3) From Sri N. Venkateswara Reddy, DEE, PRI, Sub-Division, Talluru, Prakasam District, Written Statement of Defence dt:30-10-2012.
4) G.O.Rt.No.553 & 554, PR&RD(Vig.II)Dept.,Dt:01-06-2016.
5) From Sri P. Yohan, AE, PR, Krosuru, Written Statement of Defence dt:15-10-2016&5-11-2016.
6) From Sri N. Venkateswara Reddy, DEE, PRI, Sub-Division, Talluru, Prakasam District, Written Statement of Defence dt:20-10-2016.
7) G.O.Rt.No.399 PR&RD(Vig.II)Dept.,Dt:12-06-2017.
8) G.O.Rt.No.400, PR&RD (Vig.II) Dept., dt:12-06-2017.
9) From ENC, PR, Vijayawada Lr.No.Vig.III/1144/2011 Dt:25-06-2018 along with EO&SE,PR, Guntur report dt:17-05-2018.
10) Govt.Memo.No.24945/Vig.II/2010-6, PR&RD(Vig.II)Dept.,Dt:23-01-2019.
11) From S.E, PR, Guntur & Inquiry Report Rc.No.A2/996/2015 Dt:22-08-2019.

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ORDER:

Based on the recommendations of the General Administration (Vigilance & Enforcement) Department made in the Vigilance Report 1st read above, disciplinary proceedings were initiated in the references 2nd and 4th read above by framing charges against S/Sri (1) P. Yohan, the then AE, PR, Krosuru and (2) N. Venkateswara Reddy, the then Dy.EE, PRISD, Rajupalem, Guntur District under A.P. Civil Services (CC&A) Rules, 1991, for the allegations irregularities in entrustment and execution of certain works in Krosuru (M), Guntur District. In the representations 3rd, 5th & 6th read above, the Charged Officers have submitted their written statements of defence. In the reference 7th read above common proceedings were also initiated as the Charged Officers are jointly concerned in a disciplinary case relating to the above allegations of irregularities. After examining the written statements of defence of the charged officers, the case was entrusted to Superintending Engineer, Panchayat Raj, Guntur as Enquiry Officer, for conducting detailed inquiry against them, vide G.O.8th read above.

2. In the reference 9th read above, the Inquiring Authority has submitted his enquiry report. After examining the inquiry report it has been observed that the Inquiry Officer has not conducted the inquiry as per APCS(CCA) Rules and simply submitted the report in a tabular statement without any analysis and findings. The Presenting Officer also not represented the case of the Disciplinary Authority properly before Inquiry Officer. Therefore, vide reference 10th read above the Report was remitted back to the Enquiry Officer with a direction to conduct further enquiry as required under rule 20(18)(i)&(ii) of APCS(CCA)Rules, 1991.

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3. In the reference 11th read above, the Superintending Engineer, PR, Guntur & Enquiry Officer has submitted the enquiry report duly re-conducting the fresh enquiry. The Enquiry Officer has made the following findings:-

1)The Vigilance & Enforcement authorities inspected the work **"construction of side drain in SC Colony, Krosur (v)".** and all the physical measurements at site are tallied with recorded measurements except depth of drain wall. The depth of the drain wall is less by 50 mm thick and with in the allowable limits. Hence, the V&E have proposed recovery for an amount of Rs.10,852/- without rejecting the work, since it is within allowable limits. An amount of Rs.33,377/- has been recovered from contractor bill while making final payment vide P.No.42 of MB No.B/889/PR/2007-08 and kept under 8443 deposits by the EE, PRI Division, Guntur.

2) The V&E authorities inspected the work **"Construction of side drain in ST Colony, Krosur"** and all the physical measurements at site are tallied with recorded measurements except the depth of drain wall. The depth of the drain wall which is less by 50 mm thick with in the allowable limits. Hence, the V&E have proposed recovery of an amount of Rs.13,382/- without rejecting the quality of work, since the deficiency is within the allowable limits. An amount of Rs.36,635/- has been recovered from contractor bill while making final payment vide P.No.34 of MB No.B/889/PR/2007-08 and kept under 8443 deposits by the Executive Engineer, PRI Division, Guntur which is more than proposed amount of V&E authorities. Hence there is no financial loss to the Govt.

3) Regarding work at Sl.No.3 The V&E conducted compressive strength and found the results are satisfying with M25 grade. Since the road is laid in ternal village with low traffic intensity, the same may be allowed. The V&E have also allowed M25 grade and proposed recovery for an amount of Rs.21,539/- towards the deficiency in thickness of CC pavement of 7.33 mm which is within the allowable limits. The V&E have allowed the work without rejecting and proposed only recovery. As against the recovery proposed, an amount of Rs.24,426/- has been recovered from the contractor work bill while making final payment vide P.No.15 of MB No. 13/8877/PR/2007-08 and kept under 8443 deposits by the EE, PRI, Division, Guntur.

4) Regarding work at Sl.No.4. The V&E conducted compressive strength and found the results are satisfying with M20 grade. Since the road is laid in internal village with low traffic intensity, the same may be allowed. The V&E have also allowed M20 grade and proposed recovery of an amount of Rs.22,146/- towards the deficiency in thickness of CC pavement of 6.67 mm which is within the allowable limits. The V&E allowed the work and proposed recovery without rejecting the quality of work. As against the recovery proposed by the V&E an amount of Rs.24,122/- has been recovered from the contractor work bill while making final payment vide Page No.28 of MB No.8A/2005-06 and kept under 8443 deposits by the EE, PRI Division, Guntur.

5) Regarding shortfall in Cement Quantity for the work 3 & 4, the calculations between M30 & M25, M30 & M20 grade were prepared and arrived an amount of Rs.22,545/- & 30,730/- respectively. These amounts were also recovered from the work bills of the Contractor vide P.No.15 of MB No.B/887/PR/2007-08 & P.No.28 of MB No.8/A/2005-06. Hence, there is no financial loss to Govt. The average strength of concrete is equivalent to M25 & M20 grade and the same may be allowed as per the guidelines issued by the Technical Advisor (RD)

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Circular Rc.No. 1338/EGS/DEE(SS)/2011, dt:30-01-2012 and as requested by the Charged Officers No.1 and 2, since the concerned contractor is fully responsible for deficiencies during liability period as per G.O.Ms.No.94, Dt:01-07-2003 of Irrigation and CAD (PW.COD) Department, which is used in the PR Department.

4. The Enquiry Officer has therefore recommended that the charges are not held proved against both charged officers (1) Sri P. Yohan, the then Assistant Engineer, PR, Krosuru presently working as Assistant Engineer, MPP, Nuzendla and (2) Sri N. Venkateswara Reddy, the then Deputy Executive Engineer, PRISD, Rajupalem, Guntur, since there is no financial loss to the Government and there is no wilful misappropriation of Government funds.

5. Government, after careful examination of matter, have decided to accept the findings of the Inquiry Officer & Superintending Engineer, PR, Guntur and to drop further action against S/Sri (1) Sri P. Yohan, the then Assistant Engineer, PR, Krosuru presently working as Assistant Engineer, MPP, Nuzendla and (2) Sri N. Venkateswara Reddy, the then Deputy Executive Engineer, PRISD, Rajupalem, Guntur, in this matter.

6. Accordingly, Government hereby drop further action against S/Sri (1) Sri P. Yohan, the then Assistant Engineer, PR, Krosuru presently working as Assistant Engineer, MPP, Nuzendla and (2) Sri N. Venkateswara Reddy, the then Deputy Executive Engineer, PRISD, Rajupalem, Guntur, in this matter.

7. The Engineer-in-Chief, Panchayat Raj, A.P., Vijayawada, shall take further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI,
PRINCIPAL SECRETARY TO GOVERNMENT.

To
(1) Sri P. Yohan, the then Assistant Engineer, PR, Krosuru presently working as Assistant Engineer, MPP, Nuzendla(through the Engineer-in-Chief, Panchayat Raj, A.P., Vijayawada.
(2) Sri N. Venkateswara Reddy, the then Deputy Executive Engineer, PRISD, Rajupalem, Guntur, now retired (through the Engineer-in-Chief, Panchayat Raj, A.P., Vijayawada.
The Engineer-in-Chief, Panchayat Raj, A.P., Vijayawada.
Copy to:
The Secretary to V.C, A.P.V.C,
A.P. Secretariat, Velagapudi.
The General Administration (V&E) Department.
SF/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER